

**CITY OF CLEWISTON
Regular Commission Meeting
July 20, 2015**

The City of Clewiston City Commission held its regular Commission meeting in the City Hall Commission Chambers Monday, July 20, 2015. The meeting was called to order at 5:00 p.m. by Mayor Phillip Roland. The audience recited the Lord's Prayer and the Pledge of Allegiance.

Commissioners Present: Mayor Phillip Roland, Commissioner Mali Gardner, Commissioner Sherida Ridgill, and Commissioner Julio Rodriguez. Commissioner Kristine Petersen attended by telephone.

Personnel Present: City Manager Al Perry, City Clerk Marilyn McCorvey, Police Chief Don Gutshall, Finance Director Ted Byrd, Library Director Ava Barrett, Recreation Director Lance Ramer, Public Works Director Sean Scheffler, Finance Manager Shari Howell, Community Development Director Travis Reese, Utilities Director Danny Williams, City Engineer Tommy Perry, and City Attorney Charles Schoech.

Visitors Present: Jim LaRue, Terry Gardner, Asa and Betty Godsey, Christine Howell, Donald Hughes, Pepe Lopez, David Miller, Curtiss Pullen, Gloria Rosen.

ADDITIONS/DELETIONS/CHANGES AND APPROVAL OF THE AGENDA – none

Presentation by Chad Clouser, Heartland Design on the Florida Highway Beautification Council Grant Application – Mr. Clouser stated the choice for landscaping US27 is Royal Palms in the areas the City is allowed to put them. He stated the DOT will voice any concerns about the project before it is approved. Commissioners Rodriguez and Ridgill voiced their concerns about the Palm fronds falling in the highway. Commissioner Gardner thought DOT would voice their concerns if there are any, and she feels this is the place to start. Mr. Clouser thinks we will only be able to do about 50% of the project from grant funding next year. Commissioner Gardner stated she thought we should start on the east end of town and move westward.

Resolution 2015-08 - City Manager Perry read Resolution 2015-08 honoring retiring City Clerk Marilyn McCorvey. The City Commission expressed their thanks and well wishes to Ms. McCorvey for her years of faithful service.

Pension Plan Update – Gloria Rosen – Ms. Rosen stated the City's investments are doing very good and that the pension funds are divided into good investments. Commissioner Gardner asked when representatives come in November that they tell the Commission the methodology of changing investments that show loss.

1. Consent Agenda

- A. *City Commission Workshop Minutes – June 11, 2015*
- B. *City Commission Budget Workshop Minutes – June 15, 2015*
- C. *City Commission Minutes – June 15, 2015*
- D. *City Commission Budget Workshop Minutes – June 24, 2015*
- E. *City Commission Budget Workshop Minutes – July 9, 2015*

Commissioner Gardner made a motion, seconded by Commissioner Petersen, to approve the Consent Agenda. Vote 5 yeas, 0 nays.

PUBLIC HEARING

2. Ordinance No. 2015-02 – Final Reading – (Continued from June 15, 2015 meeting)

Ordinance No. 2015-02 includes amendments to the Future Land Use Map, the goals, objectives and policies of the Future Land Use, traffic circulation, housing, sanitary sewer, solid waste, drainage, potable water and natural groundwater aquifer recharge, conservation, recreation and open space, intergovernmental coordination, capital improvements, concurrency elements; providing for transmittal to the State Land Planning Agency and other reviewing agencies under the State expedited review process. Jim LaRue came forward to speak and stated that the mobile home zoning can stay the same in areas the Commission desired. He stated the plan amendments are consistent with what was presented in the previous public hearings. He stated we can make a

small scale amendment to go with the zoning and the water supply plan is consistent with what has been reviewed. David Miller came forward to speak and stated he appreciates the recommended change, however he still objects to the potential rezoning of his property as it will impact the way they do business. He further stated he looks forward to improving his mobile home park and getting problems corrected. The Commissioners all stated they had conversations with Mr. Miller about the plan. Antonio Perez posed some questions about the mobile home zoning. Community Development Director Reese stated there are still many areas that need to be discussed, but this plan is a beginning that can be changed in the future. City Manager Perry read Ordinance No. 2015-02 by title.

Commissioner Gardner made a motion, seconded by Commissioner Rodriguez, to approve Ordinance No. 2015-02 on final reading with the assurance that the map attached shows correctly that area 4 is not changed to multi-family. Vote 5 yeas, 0 nays.

- 3. Final Development Order for 1044 West Ventura Avenue, Greentree West.** Pursuant to Section 110-84, of the City Code, the applicant, Hendry County Non-Profit Housing, Inc. is requesting City approval for a development application for 1016 West Ventura Avenue. The property is zoned R-3, multi-family residential. Staff has reviewed the changes recommended by the Technical Review committee and found that it meets all requirements for development of the site. The Planning & Zoning Board met on July 13, 2015 and recommends approval of the Final Development Order for 1044 West Ventura Avenue. Mayor Roland opened the Public Hearing. City Manager Perry stated the applicant, Hendry County Non-Profit Housing, Inc., is requesting City approval for a development application for 1044 W. Ventura Avenue, Greentree West. He stated the public hearing was advertised in the Clewiston News on July 2, 2015. There being no comments from the public or the Commission, Mayor Roland closed the public hearing.

Commissioner Gardner made a motion, seconded by Commissioner Rodriguez, to approve the Final Development Order for Greentree West. Vote 5 yeas, 0 nays.

RESOLUTION

- 4. Resolution No. 2015-07 –** With the retirement of City Clerk Marilyn McCorvey, a new person needs to be designated to sign checks. This Resolution designates City Clerk Shari Howell and redesignates Finance Director Ted Byrd as employees of the City with authority to sign checks disbursing public money, providing an effective date of August 6.

Commissioner Rodriguez made a motion, seconded by Commissioner Gardner, to approve Resolution No. 2015-07. Vote 5 yeas, 0 nays.

MISCELLANEOUS ACTION AND DISCUSSION ITEMS

- 5. Award of Boat Basin Parking Rehabilitation Bid –** This project was advertised in the Clewiston News on June 25, 2015. The bids were opened on July 16, 2015. Johnson-Prewitt will have a recommendation at the July 20 Commission meeting. Engineer Scott Jones stated we received one bid from Weekley Asphalt Paving totaling \$31,783 and recommended that we award the bid to them. Mr. Jones will review the contract and ascertain if we can add some work to the back parking lot and then contact FWC for confirmation.

Commissioner Gardner made a motion, seconded by Commissioner Ridgill, who added that we should ask for a change order to add paving the back parking lot, to award the bid to Weekley Asphalt Paving in the amount of \$31,783. Vote 5 yeas, 0 nays.

- 6. Abandon/Relocate Public Utility Easement -** McGahee & Perez law offices, on behalf of the Florida Community Health Centers, Inc. is requesting abandonment of an existing easement and designation of a new easement for the properties located at 312 W. Ventura and 315 W. Trinidad in order to expand the current facility and add parking. Community Development Director Reese has no objection to this proposed change.

Commissioner Gardner made a motion, seconded by Commissioner Petersen, to approve the abandonment of the existing easements at 312 W. Ventura and 315 W. Trinidad and designation of a new easement.

Commissioner Gardner amended her motion, seconded by Commissioner Petersen, to add to the motion to set a date certain for the work to be completed of one year, and the water and telephone costs for relocation will be paid by the owner, and the owner will work with the Utilities Department to move the utility poles and the owner will provide conduit. Vote 5 yeas, 0 nays.

- 7. Approval of Documents to be Sent to the Hendry County Property Appraiser by August 4, 2015.** The Commission should approve the DR-420, Certification of Taxable Value, DR-420TIF which sets the proposed millage rate and tentative budget hearing, DR-420TIF, Tax Increment Adjustment Worksheet, and DR-420MM-P, Maximum Millage Calculation-Preliminary Disclosure before August 4, 2015 for transmittal to the Property Appraiser. The Commissioners discussed the possibility of raising the millage slightly. Finance Director Byrd stated that raising the millage to 6.5 will increase funding \$63,338, and 6.7 mills will increase funding \$104,966. Commissioner Petersen stated she supports the 6.7 mills as she is concerned with roofing concerns, air conditioning at the JBA and she is committed to move forward with the maintenance of the buildings. Commissioner Gardner stated she feels that our tax payers are already paying a high millage rate compared to other communities. Commissioner Rodriguez stated he will not support any tax increase.

Commissioner Gardner made a motion, seconded by Commissioner Rodriguez to submit the documents at the 6.1597 millage rate. Vote 4 yeas, 1 nay. (Commissioner Petersen voted nay)

- 8. Appointment to the Community Redevelopment Advisory Board** – Luan Walker has submitted an application for appointment to the CRA Board. Ms. Walker meets the qualification to be appointed to this board.

Commissioner Gardner made a motion, seconded by Commissioner Rodriguez, to appoint Luan Walker to the CRA Advisory Board. Vote 5 yeas, 0 nays.

- 9. Discussion on Allowing Bounce Houses/Inflatables on City Property** - The Commission discussed a draft policy for inflatables. Commissioner Gardner stated she is seeing more and more in the parks and they are taking over the public parks for private parties. Recreation Director Ramer told the Commissioners current policy of having the vendor's provide proof of \$1M of liability insurance, the user signs a hold harmless and the user fills out a reservation form. He stated there are two businesses in town that rent the inflatables and both of them have a City business tax receipt and they are the only two companies allowed to set up inflatables. Mr. Ramer further stated that of the 90 reserved parks, 48 of those were not City residents. Commissioner Ridgill stated we also have a problem with grills and they should follow the same procedure. Commissioner Gardner stated she thought the inflatables should only be used at Sugarland Park until we can come up with a resolution to the problem.

Commissioner Gardner made a motion, seconded by Commissioner Ridgill to limit setting up inflatables, tents, etc. to Sugarland Park only over the next 30 days, with the exception of the scheduled wedding in the Civic Park, until discussion at the next meeting. Vote 5 yeas, 0 nays.

- 10. Liability Insurance Discussion (requested by Commissioner Ridgill)** – The Commission asked the City Attorney and staff to work on a written policy for liability insurance.
- 11. Discussion of Tyler Software Implementation Progress** – Finance Director Ted Byrd discussed the progress we are making on the implementation of the fixed asset application. Director Byrd stated that the software does not have a module for a final report for the auditor. Commissioner Gardner stated this has been an issue since 2012 and we have to figure out what we need to do next.

12. Update on Code Enforcement – Chief Gutshall and Staff – Chief Gutshall stated they have 49 cases set for the August 19 Special Magistrate hearing. There are 20 cases pending and they have done 21 rental inspections this month.

13. Departmental Monthly Activity Reports - Presented for information only.

PUBLIC COMMENTS - At this time, any person will be allowed to speak on any matter that pertains to City business. Mike Martin came forward to speak and stated that he does not agree with charging for rental inspections. Mr. Martin stated he believes that all contractors should have Worker's Compensation insurance. Antonio Perez stated he thought the City is trying to catch things through the rental inspections that should have been caught in code enforcement, such as construction, repairs, etc. that were not done up to the building code standards.

COMMENTS FROM CITY MANAGER - none

COMMENTS FROM THE CITY ATTORNEY - none

COMMENTS FROM THE CITY COMMISSION - Commissioner Gardner reminded the audience that applications are being accepted for the Outstanding Community Service Award and that United Way is looking for "Reading Pals".

ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Phillip Roland, Mayor

Shari Howell, City Clerk